

REMARKS

In the outstanding office action, claims 19-25 are rejected as obvious in light of Roccaforte et al., US Patent No. 4,298,123; in view of Roccaforte, et al., US Patent No. 5,141,108; and further in view of Hurh, US Patent No. 4,998,656. By way of this amendment, claims 19 and 24 are amended, and claims 20-23 are canceled. In light of the foregoing amendments and following remarks, applicants respectfully submit that pending claims 19, 24, and 25 are in condition for allowance and respectfully solicit same.

First, by way of background, Applicants wish to point out the history and status of the patent family of which this application is the last active case. The parent application is serial number 09/711,017 filed on November 13, 2000, and issued as US Patent No. 6,564,942 on May 20, 2003. Two continuations-in part of that application were filed on November 6, 2001, namely application serial no. 09/993,309 which issued as US Patent No. 6,935,501 on August 30, 2005, and application serial no. 09/993,274 which issued as US Patent No. 6,742,690 on June 1, 2004. Each of those continuations-in-part included apparatus claims, with related method claims being filed in respective divisional applications. The divisional of application serial no. 09/993,274 was filed as application serial number 10/645,673 on August 21, 2003 and issued as US Patent No. 6,817,162 on November 16, 2004. The divisional of application serial no. 09/993,309 was filed on August 21, 2003 and is this currently pending application now before the Examiner.

Accordingly, it can be seen that this family has resulted in four issued patents, and this one remaining application. As this application is a divisional directed to method claims corresponding to the apparatus claims of an already issued patent, by way of this amendment, the pending method claims have been amended in a manner consistent with the apparatus claims of the issued patent. As those apparatus claims were found to be patentable over the same prior art as is now being cited, Applicants respectfully submit that the pending method claims are in condition for allowance as well. However, for the sake of completeness, Applicants address the cited prior art below as well.

As stated above, claims 19-25 are rejected as obvious over Roccaforte '123, Roccaforte '108, and Hurh. However, claim 19 has been amended to include elements that

are not found in any of the cited art. Since any obviousness rejection must satisfy the requirements of MPEP §2143, one of which is the disclosure in the cited reference of each and every element of the pending claims¹, and the three cited references fail to disclose such elements, Applicants respectfully submit pending claims 19, 24, and 25 are in condition for allowance.

More specifically, claim 19 specifies, among other things, a method of assembling a wound film dispenser wherein wedge shaped braces are folded against the back wall of the base of the dispenser, thereby angling retention walls, which extend upwardly from the bottom wall of the base, into the interior of the base to retain the roll of film.

The cited references fail to disclose such elements. Both Roccaforte references are “interior” type retainers in that they have end wall protrusions that extend into the interior space of the tube around which film is wound. In this respect they are more like US Patent Nos. 6,742,690 and 6,817,162 of the pending family. They do not disclose any element comparable to the retention walls of the pending claims which themselves include apertures receiving the ends of the roll of film. The only reference that does disclose an “exteriorly” retained roll, i.e., one where structure surrounds the outside of the roll of film to retain it in the dispenser, is Hurh. Hurh at least discloses a partition 28 which an aperture 26a for receipt of the end of the roll, but it does not meet the other limitations of now amended claim 19.

Again, more specifically, claim 19 requires that the retention wall extend from the bottom wall of the dispenser and include a wedge-shaped brace that is folded against a back wall of the dispenser to angle the retention wall into the interior channel of the dispenser, as well as a brace having a tapered side edge that extends from a fold line at an angle corresponding to the angle at which the retention wall extends away from the end wall of the dispenser, and retention walls which are oblique to each of the bottom, front, back and

¹ MPEP §2143 reads “To establish a prima facie case of obviousness, three basic criteria must be met. First, there must be some suggestion or motivation, either in the references themselves or in the knowledge generally available to one of ordinary skill in the art, to modify the reference or to combine reference teachings. Second, there must be a reasonable expectation of success. Finally, the prior art reference (or references when combined) must teach or suggest all the claim limitations.”

end walls of the dispenser. These differences were similarly argued to obtain allowance of the parent case over the same Hurh reference as well. The two Roccaforte references were cited in the parent case also and found not to obviate such subject matter. In light of all these differences and deficiencies in the cited art, applicants respectfully submit that the pending claims are non-obvious.

From the foregoing, it can be seen the pending method claims have been amended in the same manner as the related apparatus claims of now issued US Patent No. 6,935,501. In addition, the same arguments regarding obviousness made in that case to obtain its allowance apply here, and have been made of record. Applicants thus respectfully submit that claims 19, 24, and 25 are in condition for allowance and respectfully solicit same. Should the Examiner have any questions, he is invited to telephone the undersigned.

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